

32. (New) The storage tank of Claim 25, wherein a top of the sealing dome is positioned below a top of the riser.

33. (New) The storage tank of Claim 25, wherein the sealing dome has a circular circumferential shape.

34. (New) The storage tank of Claim 25, wherein the fillet comprises putty.

35. (New) The storage tank of Claim 25, wherein the fillet comprises cardboard.--

REMARKS

Claims 1, 3, 14-18 and 20 have been canceled without prejudice to their underlying subject matter. Applicants reserve the right to pursue the underlying subject matter of these claims in this or any other application.

New independent Claims 21 and 24 have been added, and all currently pending claims have been amended to depend, directly or indirectly, from Claims 21 or 24. Claim 21 includes the limitation “the fillet not adhering to the portion of the sealing dome and the portion of the riser.” Claim 24 includes the limitation “the fillet only weakly adhering to the portion of the sealing dome and the portion of the riser.” Support for these limitations can be found at page 2, lines 17-19 of the specification. Neither of these limitations is disclosed or suggested in the prior art of record.

The only references cited in the Office Action as disclosing a fillet are U.S. Patent No. 4,112,644 (Allen) and U.S. Patent No. 4,046,306 (Cass). Allen discloses in Fig. 7 and at col. 6, lines 11-25, a filler 31 of comprised of an “adhesive mixture” that serves to bind and seal two joined sections of a tank. Cass discloses “a fillet 14 of sealant . . . to further insure the integrity of the joint” at col. 2, lines 36-39. In contrast to the disclosures of Allen and Cass, the fillet of the invention of Claims 21 and 24 does not adhere or only weakly adheres to riser

wall and the sealing dome. As discussed at page 2, lines 19-22, this facilitates the removal of the sealing dome from the riser at a later time. Accordingly, the fillet of Claims 21 and 24 is different from the disclosures of Allen and Cass, and Claims 21 and 24 are believed to define patentable subject matter for at least this reason.

All other currently pending claims depend directly or indirectly from either Claims 21 or 24. Accordingly, the rejections of Claims 2, 4-13 and 19 are traversed with respect to the claims as amended and withdrawal of the rejection is respectfully requested.

In view of the foregoing remarks, all claims are believed to be in condition for immediate allowance. Allowance of the application is respectfully solicited.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

James M. Heintz
Registration No. 41,828

SERIAL NO. 09/617,239

DOCKET NO.: 2549-098-27

MARKED-UP COPY OF AMENDED CLAIMS

2. (Amended) The storage tank of [claim 1] Claim 21, wherein the sealing dome includes a flanged end sized to accept the riser and wherein the sealing dome is positioned with the flanged end over a top end of the riser.

4. (Amended) The storage tank of [claim 2] Claim 2, wherein the first surface of the fillet is adjacent to an edge of the flanged end of the sealing dome [includes a flanged end sized to accept the riser and wherein the sealing dome is positioned with the flanged end over a top end of the riser] and the fillet has a third surface connected to the first surface and the second surface.

6. (Amended) The storage tank of [claim 1] Claim 21, wherein the riser is comprised of fiberglass.

7. (Amended) The storage tank of [claim 1] Claim 21, wherein the sealing dome is comprised of fiberglass.

8. (Amended) The storage tank of [claim 3] Claim 21, wherein the sealing band is comprised of fiberglass.

9. (Amended) The storage tank of [claim 1] Claim 21, wherein the sealing dome comprises a vertical wall and a top attached to an inside surface of the vertical wall.

13. (Amended) The storage tank of [claim 1] Claim 21, wherein the sealing dome has a circular circumferential shape.

19. (Amended) The storage tank of [claim 1] Claim 21, wherein the main body comprises a wastewater storage tank.